

## United States Patent and Trademark Office

M

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/379,104	08/23/1999	YOSHINORI NAKAYAMA	500.35669CX1	9870
20457 75	590 10/20/2005		EXAM	INER
	, TERRY, STOUT &	NGUYEN, NGA B		
SUITE 1800			ART UNIT	PAPER NUMBER
ARLINGTON,	VA 22209-3873		3628	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DTOL 4400 (Day 04 04)			
Examiner  Nga B. Nguyen  3628		Application No.	Applicant(s)
Nga B. Nguyen   3628	. Notice of Abandonment	09/379,104	NAKAYAMA ET AL.
This application is abandoned in view of:  1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 2d_January 2005.  (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  (A proper reply under 37 CFR 1.113 (a) a fair afrection consists only of; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Confinued Examination (RCE) in compliance with 37 CFR 1.141, (1) a timely filed amendment which places the application in condition (RCE) in compliance with 37 CFR 1.151, (2) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. Sea 37 CFR 1.156(a) and 1.111. (See explanation in box 7 below).  (d) □ No reply has been received.  2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) □ The Issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowability (PTO-37).  (b) □ The issue fee required by 37 CFR 1.18 is 3 The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 is 3 The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 i	Notice of Abandonment	Examiner	Art Unit
This application is abandoned in view of:  1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 2d_January 2005.  (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  (A proper reply under 37 CFR 1.113 (a) a fair afrection consists only of; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Confinued Examination (RCE) in compliance with 37 CFR 1.141, (1) a timely filed amendment which places the application in condition (RCE) in compliance with 37 CFR 1.151, (2) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. Sea 37 CFR 1.156(a) and 1.111. (See explanation in box 7 below).  (d) □ No reply has been received.  2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) □ The Issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowability (PTO-37).  (b) □ The issue fee required by 37 CFR 1.18 is 3 The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 is 3 The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 i		Nga B. Nguyen	3628
This application is abandoned in view of:  1. Applicant's failure to timely file a proper reply to the Office letter mailed on 24 January 2005  (a) A reply was received on	The MAILING DATE of this comm		
(a) A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) ☐ A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona filde attempt at a proper reply, to the non-final rejection. See 37 CFR 1.8(a) and 1.111. (See explanation in box 7 below).  (d) ☐ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ Created drawings as required by, and within the three-month period set in, the Notice of Allowance (PTOL-85).  (c) ☐ The issue fee required by \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The publication fee, if applicable, which is after the expiration of the period for reply.  (b) ☐ No corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have			•
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☐ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission date), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee and publication fee, if applicable, has not been received.  3☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  5. ☐ The letter of express abandonment which is signed by the altorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an altorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a cont	(a) ☐ A reply was received on (with a continuous period for reply (including a total extension)	Certificate of Mailing or Transmission dated ion of time of month(s)) which expire	), which is after the expiration of the d on
application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c)			•
final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ⊠ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) ☐ The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. ☐ The reason(s) below:	application in condition for allowance; (2	<ol><li>a timely filed Notice of Appeal (with appea</li></ol>	filed amendment which places the al fee); or (3) a timely filed Request for
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-95).  (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated Notice of Allowance (PTOL-85).  (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 (d), is \$ (c) The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 (d), is \$ (c) The issue fee and publication fee, if applicable, has not been received.  3 Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(c) ☐ A reply was received on but it do final rejection. See 37 CFR 1.85(a) and	es not constitute a proper reply, or a bona f l 1.111. (See explanation in box 7 below).	de attempt at a proper reply, to the non-
from the mailing date of the Notice of Allowance (PTOL-85).  (a)   The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b)   The submitted fee of \$ is insufficient. A balance of \$ is due.	(d) ⊠ No reply has been received.		
	2. Applicant's failure to timely pay the required from the mailing date of the Notice of Allow	d issue fee and publication fee, if applicable ance (PTOL-85).	within the statutory period of three months
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c)	), which is after the expiration of the	pplicable, was received on (with a contemplate the statutory period for payment of the issue	Certificate of Mailing or Transmission dated fee (and publication fee) set in the Notice of
(c) The issue fee and publication fee, if applicable, has not been received.  3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  **Sets of a database of the application is a patent term.**  **Sets of a database of the application is a required by, and within the three-month period set in, the Notice of Allowability (PTO-37).	(b) ☐ The submitted fee of \$ is insufficie	ent. A balance of \$ is due.	
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to	The issue fee required by 37 CFR 1.18	8 is \$ The publication fee, if required	by 37 CFR 1.18(d), is \$
Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(c) ☐ The issue fee and publication fee, if app	licable, has not been received.	
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	Applicant's failure to timely file corrected dra     Allowability (PTO-37).	awings as required by, and within the three-r	month period set in, the Notice of
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. ☐ The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademath Office	(a)  П Proposed corrected drawings were rece	eived on (with a Certificate of Mailing y.	or Transmission dated), which is
the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(b) ☐ No corrected drawings have been receiv	ved.	
1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	The letter of express abandonment which is the applicants.	s signed by the attorney or agent of record, t	he assignee of the entire interest, or all of
of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Petent and Trademark Office	<ol> <li>The letter of express abandonment which is 1.34(a)) upon the filing of a continuing appli</li> </ol>	s signed by an attorney or agent (acting in a ication.	representative capacity under 37 CFR
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office	6. The decision by the Board of Patent Appeal of the decision has expired and there are no	Is and Interference rendered on and allowed claims.	because the period for seeking court review
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  U.S. Patent and Trademark Office	7. The reason(s) below:		
minimize any negative effects on patent term.  U.S. Patent and Trademark Office	Mganguyen		
[   UL+   4-02 (RBV, U4+U   )   D1 -2	Petitions to revive under 37 CFR 1.137(a) or (b), or requiring any negative effects on patent term. U.S. Patent and Trademark Office PTOL-1432 (Rev. 04-01)	uests to withdraw the holding of abandonment un  Notice of Abandonment	der 37 CFR 1.181, should be promptly filed to  Part of Paper No. 10172005